

## NEW UNITED STATES UTILITY PATENT APPLICATION TRANSMITTAL

Atty. Docket No.: 25436/1344

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EV242754784US** on this date, **February 11, 2004**, postage prepaid, in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kathleen Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

22387 U.S. PTO  
10/777010**Enclosed herewith is a new patent application of:**

First Named Inventor (or application identifier): Carstens

Title of Invention: Methods and Compositions for High Level Expression of a Heterologous Protein  
With Poor Codon Usage

Type:

- ☐ New  
☒ Continuation of:  
☐ Continuation-in-Part of:  
☐ Divisional of:

09/492,590

which is hereby incorporated by reference in its entirety into the application filed herewith;

**and includes the following papers:**

1. ☒ Specification 33 pages (including specification, claims, abstract)/17 claims (2 independent)
2. ☒ Declaration/Power of Attorney is:
  - ☐ Executed ☐ Unexecuted ☒ Executed copy from Parent Application
  - ☐ NOT included, but deferred under 37 C.F.R. § 1.53(f).
3. ☒ 9 Distinct sheets of ☐ Formal ☒ Informal Drawings
4. ☐ Application Data Sheet
5. ☒ Preliminary Amendment.
6. ☒ Information Disclosure Statement
  - ☒ Form 1449 ☐ A copy of each cited prior art reference (as necessary)
7. ☐ Assignment with Recordation Cover Sheet.
8. ☒ Priority is hereby claimed under 35 U.S.C. § 119 based upon the following application(s):

Country	Application Number	Date of Filing (day, month, year)
US	60/117,355	27 January 1999

9. ☒ Priority is hereby claimed under 35 U.S.C. § 120 based upon the following application(s):

Application Number	Date of Filing (day, month, year)
09/492,590	27 January 2000

10. ☐ Priority is hereby claimed under 35 U.S.C. § 121 based upon the following application(s):

Application Number	Date of Filing (day, month, year)
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# NEW UNITED STATES UTILITY PATENT APPLICATION TRANSMITTAL

Atty. Docket No.: 25436/1344

The above applications from which priority is claimed are hereby incorporated in their entirety into the application filed herewith.

11. ☐ Priority document(s).
12. ☐ Microfiche Computer Program (Appendix).
13. ☒ Nucleotide and/or Amino Acid Sequence Submission.  
     ☐ Computer Readable Copy.  
     ☒ Paper Copy (No computer copy).  
     ☐ Statement verifying identity of above copies.
14. ☐ Request for Non-Publication and Certification under 35 USC 122 (b)(2)(B)(i)
15. ☒ Statement of Small Entity Status, Pursuant to 37 C.F.R. §1.27.
16. Calculation of Fees:

FEES FOR	TOTAL CLAIMS	EXCESS CLAIMS	FEE	AMOUNT DUE
Basic Filing Fee (37 C.F.R. § 1.16(a))				\$770.00
Total Claims in <b>Excess of 20</b> (37 C.F.R. § 1.16(c))	17	0	\$18.00	0
Independent Claims in <b>Excess of 3</b> (37 C.F.R. § 1.16(b))	2	0	\$86.00	0
Multiple Dependent Claims (37 C.F.R. § 1.16(d))	No		\$290.00	0
Subtotal - Filing Fee Due				\$770.00
Reduction by 50%, if Small Entity (37 C.F.R. §§ 1.9, 1.27, 1.28)		MULTIPLY BY 0.50		\$385.00
<b>TOTAL FILING FEE DUE</b>				<b>\$385.00</b>
Assignment Recordation Fee (if applicable) (37 C.F.R. § 1.21(h))	0		\$40.00	0
<b>GRAND TOTAL DUE</b>				<b>\$385.00</b>

17. PAYMENT is:  
☒ The Commissioner is hereby authorized to charge any fees to Deposit Account 16-0085, Ref. 25436/1344.  
☐ not included, but deferred under 37 C.F.R. § 1.53(f).

18. All correspondence for the attached application should be directed to:

**Kathleen Williams**  
**Customer Number 27495**  
 111 Huntington Avenue  
 Boston, MA 02199-7613

19. Other: \_\_\_\_\_

Respectfully submitted,

Date: February 11, 2004

By: \_\_\_\_\_

Name: Kathleen Williams  
 Registration No.: 34,380

16367 U.S. PTO  
021104

Atty. Docket No.: 25436/1344 PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Carstens  
Serial No.: Not yet assigned  
Filed: February 11, 2004  
Entitled: Methods and Compositions for High Level  
Expression of A Heterologous Protein With  
Poor Codon Usage

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

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Kathleen Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

**Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**TRANSMITTAL LETTER**

Enclosed for filing in the above-identified patent application, please find the following documents:

1. New Patent Application Transmittal;
2. Patent Application, (33 pages);
3. Nine (9) sheets of informal drawings of Figs 1-9;
4. Executed Declaration/Power of Attorney from Parent File 09/492,590;
5. Preliminary Amendment;
6. Paper Copy of the Sequence Listing;
7. Information Disclosure Statement;
8. PTO-Form 1449; and
9. Return Post Card.

Pursuant to 37 C.F.R. § 1.27, Applicant claims small entity status.

The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 25436/1344. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date: February 11, 2004

Name: Kathleen Williams  
Registration No.: 34,380  
Customer No.: 27495  
Palmer & Dodge LLP  
111 Huntington Avenue  
Boston, MA 02199-7613  
Tel: 617-239-0100